

**McDermott
Will & Emery****RECEIVED
CENTRAL FAX CENTER**

OCT 20 2004

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.**FACSIMILE****Date:** October 20, 2004**Time Sent:**

To:	Company:	Facsimile No:	Telephone No:
Examiner Huynh	U.S. Patent and Trademark Office	703 872-9306	
From:	Judith L. Toffenetti	Direct Phone:	202.756.8320
E-Mail:	jtoffenetti@mwe.com		
Sent By:	Alexis Boyd	Direct Phone:	202.756.8690
Client/Matter/Tkpr:	50356-150-6740	Original to Follow by Mail:	No
		Number of Pages, Including Cover:	3
Re:	U.S. Application No: 08/913,555		

Message:**OFFICIAL**

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL ALEXIS BOYD AT 202.756.8690 AS SOON AS POSSIBLE.

Main Facsimile: 202.756.8087 Facsimile Operator: 202.756.8090

U.S. practice conducted through McDermott Will & Emery LLP.
600 Thirteenth Street, N.W. Washington, D.C. 20005-3096

Telephone: 202.756.8000

OCT 20 2004

OFFICIAL

Docket No.: 50356-150

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Nobuhiko KAYAGAKI, et al.	:	Confirmation Number: 7102
Application No.: 08/913,555	:	Group Art Unit: 1644
Filed: September 19, 1997	:	Examiner: Phuong N. Huynh
For: MONOCLONAL ANTIBODY SPECIFICALLY REACTING WITH FAS LIGAND AND PRODUCTION PROCESS THEREOF :		

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Mail Stop Terminal Disclaimer
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Ko Okumura of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,068,841. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently

No.: 08/913,555

shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned is an attorney of record and therefore the certification under 37 CFR 3.73(b) is not required.

Please charge the \$110.00 Disclaimer fee to Deposit Account Number 500417.

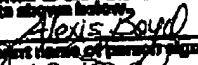
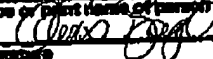
Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Judith L. Toffenetti
Registration No. 39,048

600 13th Street, N.W.
Washington, DC 20005-3096
202.756.8000 JLT:ajb
Facsimile: 202.756.8087
Date: October 20, 2004

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Type or print name of person signing certification

Signature Date 10/20/04